

UNITED STATES DISTRICT COURT

Western

DISTRICT OF

Virginia

USA

EXHIBIT AND WITNESS LIST

V.

Daley, Miselis, Gillen

Case Number: 3:18CR25

PRESIDING JUDGE Norman K. Moon					PLAINTIFF'S ATTORNEY Kavanaugh, Cullen,	DEFENDANT'S ATTORNEY Lorish/Heblich/Cox/Eustis
TRIAL DATE (S) 7/19/2019					COURT REPORTER Sonia Ferris	COURTROOM DEPUTY H. Wheeler
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS* AND WITNESSES	
1		7/19/2019	X	X	Photo Rise Above Twitter Page	Cappuzzo
2		7/19/2019	X	X	Photo Rise Above Twitter Page	Cappuzzo
4A		7/19/2019	X	X	Excerpts of text messages from Miselis phone	Cappuzzo
5		7/19/2019	X	X	Photo from Huntington Beach Rally	Cappuzzo
6		7/19/2019	X	X	Photo of Benjamin Daley	Cappuzzo
7		7/19/2019	X	X	Photo from Rise Above Twitter Page	Cappuzzo
8		7/19/2019	X	X	Rental agreement for Van Rental LA Airport -Daley	Cappuzzo
9		7/19/2019	X	X	Financial records Daley	Cappuzzo
10		7/19/2019	X	X	Photo of Defendants in Van	Cappuzzo
11		7/19/2019	X	X	Photo of Defendants at MLK Park Berkeley	Cappuzzo
12		7/19/2019	X	X	Photo of Rally at MLK Park	Cappuzzo
13		7/19/2019	X	X	Photo at Berkeley Rally	Cappuxxo
15		7/19/2019	X	X	Photo at Berkeley Rally - Daley	Cappuzzo
16		7/19/2019	X	X	Video Berkeley Riots	Cappuzzo
17		7/19/2019	X	X	Photo of Daley	Cappuzzo
18		7/19/2019	X	X	Photo of Gillen assaulting individual	Cappuzzo
19		7/19/2019	X	X	Chats between Gillen and another individual	Cappuzzo
4B		7/19/2019	X	X	Text message from Miselis to another individual	Cappuzzo
20		7/19/2019	X	X	Video Berkeley Riots	Cappuzzo
21		7/19/2019	X	X	Photo of street	Cappuzzo
22		7/19/2019	X	X	Photo of Daley in street	Cappuzzo
23		7/19/2019	X	X	Photo of Daley in street kicking	Cappuzzo

* Include a notation as to the location of any exhibit not held with the case file or not available because of size.

EXHIBIT AND WITNESS LIST – CONTINUATION

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PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
4C		7/19/2019	X	X	Excerpt of text messages of Miselis Cappuzzo
72		7/19/2019	X	X	Photo of xray of Miselis' hand Cappuzzo
4D		7/19/2019	X	X	Excerpt of text message between Daley and Miselis Cappuzzo
24		7/19/2019	X	X	Photo of book burning, Daley and Gillen Cappuzzo
25		7/19/2019	X	X	Photo of Daley at book burning Cappuzzo
26		7/19/2019	X	X	Photo of Miselis, Daley and Gillen at book burning Cappuzzo
27		7/19/2019	X	X	Photo of fire pit at book burning Cappuzzo
28		7/19/2019	X	X	Photo of books at book burning Cappuzzo
4E		7/19/2019	X	X	Excerpt of text messages Miselis and another individual Cappuzzo
4F		7/19/2019	X	X	Excerpt of text between Daley and Miselis Cappuzzo
29		7/19/2019	X	X	Flight records for Ben Daley 8/11 Cappuzzo
30		7/19/2019	X	X	Flight records for Miselis Cappuzzo
31		7/19/2019	X	X	Flight records for Gillen Cappuzzo
32		7/19/2019	X	X	Flight records for White Cappuzzo
33		7/19/2019	X	X	Walmart receipt Daley Cappuzzo
4G		7/19/2019	X	X	Excerpt of text messages Miselis and Daley Cappuzzo
34		7/19/2019	X	X	Walmart receipt Miselis Cappuzzo
35		7/19/2019	X	X	Photo of torch march at UVA Cappuzzo
36		7/19/2019	X	X	Photo -close up of 35 Cappuzzo
37		7/19/2019	X	X	Photo of torch rally base of statue Cappuzzo
38		7/19/2019	X	X	Video at torch rally Cappuzzo
39		7/19/2019	X	X	Photo from overhead of rally White, Gillen, Daley Cappuzzo
40		7/19/2019	X	X	Video at torch rally Cappuzzo
41		7/19/2019	X	X	Video from go-pro Miselis Cappuzzo
42		7/19/2019	X	X	Photo Gillen, Daley, Miselis 2nd Street Cappuzzo
43		7/19/2019	X	X	Video from 2nd Street Cappuzzo
44		7/19/2019	X	X	Photo of individuals in crowd Cappuzzo

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PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
45		7/19/2019	X	X	Photo of Daley hitting someone Cappuzzo
49		7/19/2019	X	X	Photo of Daley Cappuzzo
50		7/19/2019	X	X	Photo of Miselis in red hat Cappuzzo
51		7/19/2019	X	X	Photo of Miselis kicking someone on ground Cappuzzo
52		7/19/2019	X	X	Photo of Miselis kicking Cappuzzo
53		7/19/2019	X	X	Photo of White head-butting with Daley Cappuzzo
54		7/19/2019	X	X	Photo of individual Cappuzzo
55		7/19/2019	X	X	Photo of Daley choking individual Cappuzzo
56		7/19/2019	X	X	Photo of Daley choking female Cappuzzo
57		7/19/2019	X	X	Photo of woman on ground Cappuzzo
58		7/19/2019	X	X	Video from National Geographic Cappuzzo
59		7/19/2019	X	X	Photo showing Miselis hitting woman Cappuzzo
60		7/19/2019	X	X	Video showing aftermath of 2nd street altercation Cappuzzo
61		7/19/2019	X	X	Excerpt of text by Gillen 8/12/2017 Cappuzzo
67		7/19/2019	X	X	Photo of Miselis Cappuzzo
62		7/19/2019	X	X	Video from Miselis go-pro 8/12/17 Cappuzzo
63		7/19/2019	X	X	Video from Miselis go-pro 8/12/17 Cappuzzo
68		7/19/2019	X	X	Photo of Daley Cappuzzo
69		7/19/2019	X	X	Photo of Daley making throat slashing motion Cappuzzo
64		7/19/2019	X	X	Video Miselis hitting Cappuzzo
65		7/19/2019	X	X	Photo of Miselis hitting Cappuzzo
66		7/19/2019	X	X	Photo of Miselis hitting individual Cappuzzo
4J		7/19/2019	X	X	Excerpt of text messages Daley and Miselis Cappuzzo
91		7/19/2019	X	X	Photo of defendants in Park Cappuzzo
52		7/19/2019	X	X	Photo Miselis kicking victim Cappuzzo
56		7/19/2019	X	X	Photo of Daley choking victim Cappuzzo
4i		7/19/2019	X	X	Excerpt of text between Daley and Miselis 8/16/17 Cappuzzo

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PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
70		7/19/2019	X	X	Excerpt of Testimony Cappuzzo
71		7/19/2019	X	X	Photo of Daley at bar Cappuzzo
93		7/19/2019	X	X	Statement of Offense Thomas Gillen Cappuzzo
94		7/19/2019	X	X	Statement of Offense Michael Miselis Cappuzzo
95		7/19/2019	X	X	Statement of Offense Benjamin Daley Cappuzzo
73		7/19/2019	X	X	Photo from Miselis' phone Meyer
85		7/19/2019	X	X	Photo of Gillen from Miselis's phone Meyer
86		7/19/2019	X	X	Photo Gillen shooting rifle from Miselis's phone Meyer
47		7/19/2019	X	X	Series of images 8/12 riot from Ben Daley's Iphone Meyer
48		7/19/2019	X	X	Daley assaulting victim from Daley's phone Meyer
75		7/19/2019	X	X	Photo of banner from Daley's phone Meyer
76		7/19/2019	X	X	Photo of banner from Daley's phone Meyer
77		7/19/2019	X	X	Photo of victim from Daley's phone Meyer
79		7/19/2019	X	X	Excerpt of text message Daley and family member Meyer
80		7/19/2019	X	X	Text message from Daley's laptop Meyer
81		7/19/2019	X	X	Photo of sign from Gillen phone Meyer
82		7/19/2019	X	X	Photo of Gillen with sign from Gillen phone Meyer
83		7/19/2019	X	X	Photo of Gillen KKK from Gillen phone Meyer
84		7/19/2019	X	X	Photo of Gillen holding assault rifle from Gillen phone Meyer
87		7/19/2019	X	X	Video clip of defendants firing assault rifles Meyer
89		7/19/2019	X	X	Video of defendants firing assault rifles Meyer
90		7/19/2019	X	X	Video of defendants firing assault rifles out of vehicles Meyer
	1	7/19/2019	X	X	Video from National Geographic